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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,533	06/15/2001	John Bateman	9623V-033200	9932

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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

VO, TIM T

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,533

Applicant(s)

BATEMAN ET AL.

Examiner

Tim T. Vo

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2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 25-37 is/are pending in the application.
- 4a) Of the above claim(s) 18-24 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 and 35 is/are allowed.
- 6) ☒ Claim(s) 25, 27-34, 36 and 37 is/are rejected.
- 7) ☒ Claim(s) 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/30/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Part III DETAILED ACTION

Notice to Applicant(s)

2. This application has been examined. Claims 1-37 are pending.
3. Applicant is reminded to cancel non-elected claims 18-24.

Claim Rejections - 35 USC § 112

4. Claim 25 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 25, metes and bounds can not be determined and cause the claim to be vague and indefinite.

As per claim 25, using the phrase, "said host", lacks proper anteceded basis and causes the claim to be vague and indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

1. Claim 25 is rejected under 35 U.S.C. § 102(e) as being anticipated by Kurase patent number 6,298,395.

As for claim 25, Kurase teaches a method of transferring data between a camera and an intelligent host (see figures 8 and 10, camera 80, personal computer 60 and column 10 lines 35-47, wherein the camera 80 is docked into charger 40 and the data communication between the camera 80 and personal computer 60 via IEEE 1394 cable 50), the method comprising:

Connecting a cradle to an intelligent host (see figure 10, charging circuit 40 is equivalent with a cradle and it is connecting to the personal computer 60), the cradle being configured to enable a camera to be docked or undocked to the cradle (see figure 10, camera 80, charger 40, wherein the camera 80 is docked into the charger 40 for charging battery from the camera 80);

Connecting the camera to the cradle by docking the camera to the cradle, the cradle providing a communication interface between the camera and the host (see figure 10, camera 80, charger 40, personal computer 60, wherein the camera 80

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communicates with the personal computer via the charger 40 and IEEE 1394 cable);
and

Transferring data between the camera and the intelligent host (see figure 10 and column 5 line 64 to column 6 line 3).

2. Claims 25, 27-34 and 36-37 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kurase patent number 6,298,395.

As for claims 25 and 36-37, Kurase teaches a method of transferring data between a camera and an intelligent host (see figure 1, camera 32, personal computer and [14], wherein the camera 32 is docked into docking station 10 and the data communication between the camera 32 and personal computer), the method comprising:

Connecting a cradle to an intelligent host (see figure 1, docking station 10 is connecting to the personal), the cradle being configured to enable a camera to be docked or undocked to the cradle (see figure 1);

Connecting the camera to the cradle by docking the camera to the cradle, the cradle providing a communication interface between the camera and the host (see figure 1, camera 32, docking station 10, personal computer 60 and [14]; and

Transferring data between the camera and the intelligent host (see figure 1 and [14]).

As for claims 27-29, Whitby teaches wherein the transferring occurs in response to activating a one-button device (see figure 1, button 50 and [16]).

As for claim 30, Whitby teaches the camera comprises a digital camera having at least a first mode and a second mode of operation, wherein the first mode the camera is a digital still camera, and in second mode is a digital video camera (see figure 1, camera 32).

As for claim 31-34, Whitby teaches wherein the cradle further comprises:

A base (see figure 1);

A pedestal connected with the base and configured to be connected with the camera (see figure 1);

A pedestal connected with the pedestal and configured to be connected with the camera (see figure 1);

A cable having a near end configured to be connected with the pedestal connector (see figure 1);

And the cable having a far end configured to be connected with a far-end connector (see figure 1);

Wherein the cable is passed through the cradle so as to be connectable with a camera at its near end, and capable of interfacing with an intelligent host at its far end (see figure 1 and [14]).

Allowable Subject Matter

3. Claims 1-17 and 35 are allowable over the prior of records.

4. Claim 26 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Examiner's Statement of Reasons for Allowance

5. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claim 1 is allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts. Prior art fails to teach wherein (i) an interface recognizing code portion configured to cause the camera to recognize its interface with the cradle; (ii) an interfacing code portion configured to cause camera to interface with the intelligent host; (iii) an external storage recognizing code portion configured to cause the camera to recognize a storage location on the intelligent host and (iv) a data transferring code portion configured to cause a transfer of data between the camera and the storage location.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 571-272-3642. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3631. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



10/30/04

Tim T. Vo
Primary Examiner
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